

## REMARKS

Reconsideration of this application is respectfully requested.

This application has been reviewed in light of the Office Action dated September 22, 2004. Claims 1-13 are currently pending in the application.

In the Office Action, the Examiner has rejected Claims 1, 4, and 9 under 35 U.S.C. §102(e) as being anticipated by *Mortensen* (US 6,591,113 B1), Claims 5, 7-8, 10, 12, and 13 under 35 U.S.C. §103(a) as being unpatentable over *Mortensen* in view of (MPEP 2144.03), and Claims 2, 6, and 11 under 35 U.S.C. §103(a) as being unpatentable over *Mortensen* in view of *Ericsson* (US 6,223,047 B1). However, it is respectfully submitted that the Examiner is incorrect.

The present invention is directed to a method for controlling a power-off of a mobile station in order to reduce a load on a base station. However, in rejecting independent Claims 1, 4, and 9, again the Examiner has not cited a single reference directed to the same subject matter. That is, *Mortensen* is directed to a method for controlling signal power over at least two channels (DPDCH, DPCCH), and is not directed to handling a power-off by a user of the mobile terminal as recited in the claims of the present application. Accordingly, it is respectfully submitted that the Examiner is incorrect in rejecting independent Claims 1, 4, and 9, as *Mortensen* does not teach performing any functions *at a power-off request of a mobile station user*, as is recited in each independent claim of the present application, and it is respectfully requested that the rejection of Claims 1, 4, and 9 be withdrawn.

As independent Claims 1, 4, and 9 are now believed to be in condition for allowance, it is respectfully submitted that dependent Claims 2-3, 5-8, and 10-13 are also in condition for allowance as being dependent upon independent Claims 1, 4, and 9, respectively.

In view of the preceding remarks, it is respectfully submitted that all pending claims, namely Claims 1-13, are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell  
Reg. No. 33,494  
Attorney for Applicant(s)

DILWORTH & BARRESE, LLP  
333 Earle Ovington Blvd.  
Uniondale, New York 11553  
Tel: (516) 228-8484  
Fax: (516) 228-8516

PJF/DMO/las